

## **REMARKS**

Claims 1-21 are pending in the present application. No claims are amended, voluntarily withdrawn or canceled.

### **Restriction Requirement**

The claims are the subject of a restriction, with claims 1-11 and 14-21 drawn to a valve and claim 12 and 13 drawn to a method of assembling a valve being identified by the Examiner as distinct inventions under 35 U.S.C. § 121.

### **Traverse of Restriction Requirement**

In support of his restriction, the Examiner states that "In the instant case the product as claimed can be made by another and materially different process such as a process that uses a resilient bellows as the biasing element and not having the helical spring called for in claim 12." Applicant disagrees that the substitution of a resilient bellows as the biasing element for the helical spring renders the process "materially different" from the process reciting a helical spring as in claim 12. A resilient bellows or other biasing means are known substitutions and would be apparent to those of skill in the art. The relevant step of method claim 12 would read "inserting said resilient bellows into said spring chamber through said valve stem opening." There is no material difference between the method of claims 12 and 13 and the method altered according to the Examiner's proposal.

Further, claim 5 which depends directly from claim 1, requires the cylindrical helical spring as recited in claim 12. Thus, at least the valve of claim 5 cannot be produced by any process other than that recited in claim 12.

Applicant traverses the Examiner's restriction requirement on the basis that the apparatus as claimed cannot be produced by another and materially different process, and further that the Examiner's proposed alteration of the process recited in claim 12 does not render process materially different than Applicant's originally filed claim 12.

Applicant respectfully requests that claims 1-21 be substantively examined in the context of the present application.

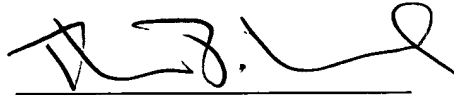
Appl. No. 10/689,134  
Amdt. dated April 20, 2005  
Reply to Office Action of March 21, 2005

### **ELECTION OF INVENTION**

To strictly comply with the Examiner's restriction requirement, Applicant elects invention I, with claims 1-11 and 14-21 readable thereon. This election of invention is made with traverse of the Examiner's restriction requirement.

Respectfully submitted,

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